

The Famous Bull

I N

CÆNA DOMINI.

Published at *R O M E* every *Maunday*
Thursday against Hereticks, and all
Infringers of Ecclesiastical Liberties.

With a **P R E F A C E** containing some Reflecti-
ons on the Bull, and Animadversions on
the late Account of the Proceedings
of the **P A R L I A M E N T**
of *P A R I S*.



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P R E F A C E.

AFTER so many and so loud Out-cries against that just and necessary distinction of *Old* and *New* Popery, which the late Artifices and shiftings of our Adversaries have enforced the Divines of our Church to observe and publish; after so many vehement Protestations against the reality of any such distinction, and confident assertions of the entire Conformity between the Doctrine of the present Church of *Rome*, or rather some few Emisaries of it, and that of the immediately precedent Ages, so many new Systems, Representations and Expositions of the pretended Catholick Doctrine; it might have been justly expected that the Faith and Doctrine, if not of the present and precedent Age, yet at least of all National Churches at this day in Communion with the Church of *Rome*, should be perfectly conformable and inviolable. For the Opinions of the precedent Age may be indeed falsely represented to us, the truth of them may be obscured by cunning Artifices and Illusions, or evaded by a bold and obstinate Denial; but the Doctrines and Practice of the present Time cannot be dissembled, nor without too manifest an affront to Truth, be denied by these Gentlemen of the Mission, who may perhaps confound our Reason, but can never delude our Senses.

That this distinction is both just and real, needs no other Argument, than the known and confess'd distinction between *French* and *Italian* Popery. For, since the Patrons and Defenders of both these Parties appeal to the belief of the Church in the precedent Age; since both propose Tradition as the Rule of their Faith, and challenge to themselves the Consent and Suffrage of that Rule; since both their Pleas cannot be allowed, and one Party must necessarily have departed from the true, ancient, and genuine Popery; it evidently follows, that as one

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Party conserves the *Old*, so the other hath framed a *New* sort of Popery. I know it is commonly pretended that these differences are of small moment, neither essential to Christianity, nor to the Doctrine of the Church of *Rome*, that either side may be safely believed, and neither renders any Man either less Orthodox, or more Heretical. But certainly these Pretences are no other than Protestations against matters of Faith, since not only the Subjects of these different Doctrines are Matters of the greatest moment and concern, but attended with all the solemn Characters and evident Marks of the most momentous Articles of Faith; I mean an infinite Zeal and Concern of each Party for the defence and propagation of their own Opinion, and condemning the contrary Doctrine as a Crime worthy of Excommunication and *Anathema*, which are never supposed to be inflicted on Opinions of an indifferent nature, and free from all Contagion of Heresy or Schism.

If then the Pope and *Italian* Divines will not allow those of *France* to be truly Orthodox and Catholick; if they think them unworthy and incapable of Ecclesiastical Dignities and Promotions, and daily issue out Excommunications against such Practices as the Church of *France* is manifestly known to act, allow and command; if on the other side, the *French* Clergy so far return the Accusation as to attain the Pope of Heresy, to declare his Censures rash, unchristian and destructive of the Church, and himself *ipse facto* excommunicate; certainly we must renounce all Sense and Reason to imagine these to be no more than verbal Differences, Scholastick Niceties, and Opinions of private Divines, which may be safely either rejected or received. That Differences of this nature have arose between the Church of *France* and See of *Rome*, and those continued, with great Heat and Animosity through several Ages, is manifest both from Ecclesiastical and Civil History. This indeed our Adversaries deny, but surely by the assistance of that wonderful Secret which can enable them confidently to propose the greatest Contradictions and Falsties, and then effectually secure them from blushing at them. The Violence and Cruelties practised upon many thousand Protestants of *France* have been acted within a few Months in the view of the World and the face of Mankind; yet there are not wanting who decry all Relations of these Cruelties and

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Barbarities as the Calumnies and Fictions of Hereticks, and have added this to the other glorious Titles of *Louis le Grand*, that he hath reduced his Subjects to the Profession of one Religion by methods of Mercy and Gentleness. The present differences between the Courts of *Rome* and *France*, how conspicuous soever, might have suffered the same fate, and with equal Reason have been denied; if Monsieur *Barillon*, the *French* Ambassador, had not, by endeavouring to vindicate his Master's Honour and the Justice of his Cause, obliged us with an Account of the Proceedings of the Parliament of *Paris* upon the Pope's Bull; an Account which as it is undeniable and unexceptionable to our Adversaries, so it abundantly evinceth what I have hitherto advanced.

The whole Church of *France*, and after them the *Sorbon*, have within a few Years defined and asserted the Fallibility of the Pope; and herein acted consonantly to the Principles and Doctrines of their Ancestors, who had constantly taught the same Doctrine, but never solemnly defined it. However, this Article is beyond the *Alpes* rejected with a no less contrary Zeal, and Infallibility of the Pope ranked among the Fundamental Doctrines of the Christian Religion. For proof of this we need go no farther than the forementioned Account of the Proceedings of the Parliament at *Paris*, which assures us, that not only the *Italian* Doctors and Emisaries of the Court of *Rome* are employed carefully to propagate the Opinion of the Papal Infallibility, as if the belief of that Point were wanting to render *France* truly Catholick; but also that one third of the Episcopal Sees of *France* being now vacant, and the King having nominated to them some of those who assisted at the late National Assembly, wherein the Papal Infallibility was rejected, Persons as well recommendable for their Piety and Vertue as for their Knowledge and Learning, the Pope refuseth to grant Bulls of Confirmation to them, on pretence that they do not make Profession of a sound or Orthodox Doctrine, because they do not believe him to be Infallible; nor like the *Italian* Doctors, attribute to him the Title of Universal Monarch. Which evidently demonstrates, that the Papal Infallibility is esteemed a necessary Doctrine in *Italy*, and the denial of it incompatible with a sound and Orthodox Belief of the Catholick Faith; since Scholastick Niceties were never known to incapacitate

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Men for Ecclesiastical Preferments, or cast them out of the number of Orthodox Christians.

The Primacy of the Pope is a matter of no less moment. How far it extends is indeed controverted among Roman Catholics; but that some Power was assigned by Christ to St. Peter and his Successors over all Members of the Christian Church, is the common Principle of all, proposed by them as the only Center of Unity, and a Doctrine necessarily to be received by all Catholics. Whatsoever this Power is, it being of Divine Institution, cannot be annulled or restrained by any General Council, much less by the Laws and Edicts of the Civil Power, but may be exercised independently from both. If then any Church refuseth any Obedience or Submission to the Commands of the Pope, unless they be conformable to the Canons of Councils, and ratified in the first place by the Civil Power; they thereby declare an intire Disbelief of any Power committed to the Pope by Divine Institution. For however they may pretend Councils to be Infallible, and consequently inerrable in fixing the limits of the Papal Power (although even according to this supposition the Papal Power not being antecedent to General Councils, could have no existence in the three first Centuries, when no such Councils were held) yet this Infallibility cannot be pretended to be inherent in the Civil Power. The Temporal Prince may possibly be an Atheist, an Apostate, or an Heretic; may forbid all Obedience to be paid even to the most just Commands of the Pope, and deny to ratify such Orders as do naturally flow from the execution of that Commission which Christ hath given to the Pope. If the Pope hath indeed any such Divine Commission, he may and ought to execute it in spite of all opposition of the Civil Power; and if he exceeds not the bounds of his Commission, he ought to be obeyed by all faithful Christians, although the Civil Power, far from ratifying his Commands, should even forbid them to be obeyed. No privilege can exempt us from this Duty, nor any humane Law dispense with the Obligation of it: yet the Church of *France* pretends, and constantly avers that no Obedience is due to any Commands of the Pope of what nature soever, until they be first ratified and confirmed by their Prince. This pretence was not started of late, but hath been introduced and continued for several Ages, being the grand Principle of the so much famed
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Liberties of the *Gallican* Church, a Principle which can no otherwise be maintained than by disowning and disclaiming all Divine Institution of the least Papal Power; and accordingly we are told in this account that the boundless and arbitrary Authority of the Pope hath been the Source of almost all the incurable mischief with which the Church is afflicted; that his Power reacheth no farther than the Diocese of *Rome*, and his Patriarchship than the neighbouring Provinces stiled *Suburbicarian*; that it would be very advantageous that all Ecclesiastical Matters were transacted in the Kingdom, without ever being obliged to have recourse to *Rome*; and that an Ambassador of *France*, executing his Master's Orders, cannot thereby incur Ecclesiastical Censures; although none will deny that Ambassadors may possibly in obedience to his Master's Commands oppose even that Authority of the Pope, which was lawfully invested in him by Christ, if any such there be.

pag. 13, 15,
22, 9.

But not only doth the Church of *France* hereby disown the Divine Institution of any Papal Power, not only doth she declare the Thunders of the *Vatican* to have nothing formidable, to be transitory Fires, which exhale into Smoke, and do neither hurt nor prejudice save to those who darted them; but affirms the Pope to be a Favourer and Patron of Hereticks, *ipso facto* excommunicate, and no Member, much less Head, of the Catholic Church. He is accused to have maintained converse and correspondence with the condemned Disciples of *Jansenius*, ever since he hath been seated in *S. Peter's* Chair, to have spoken in the highest degree in their praise, and declared himself their Protector, and thereby so far to have endangered the Peace of the Church, that nothing less than the foresight and cares of *Louis le Grand* could restore or conserve it: that he favours the *Quakers*, and connives at their Heresy; underhand espouseth their Party, and protects their Persons. He is denounced Excommunicate upon this ground, That he who without lawful cause, and through humane motives, undertakes to suspend one of the Members of Jesus Christ, from the Communion of the Church, doth separate himself from it by such an unjust Attempt. Nay farther, he is declared by the ill exercise of his Power, to have lost the Power of binding and unbinding, and thereby in effect to have fallen from the Papacy and to be deposed. Alas, that *Innocent XI*, whom our Missionaries represent to us as the grand Pattern

Vid. pag. 19.

pag. 27.

pag. 12.

pag. 37.

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Pag. 7.

Pag. 11.

Pattern of Apostolick Vertue and Holiness, should at last be convicted of Heresy, and proved to be no Member of the Church: He hardly escaped last year from being condemned as a *Quærist* in the Inquisition of *Rome*; and now, (alas poor Man!) instead of enjoying that Honour, which he hath so ambitiously courted, of suffering Martyrdom in defence of the Church; he may perhaps be burnt for an Heretick; as soon as *Louis le Grand* shall please to execute that Right, which he pretends to have to make himself known in the quality of his Sovereign.

It cannot be pretended that these are matters of light moment in themselves, but unhappily at this time heightened into great differences by the ill Conduct and false Zeal of an ignorant and stupid Pope; since his Actions are grounded upon, and upheld by the famous Bull in *Cænâ Domini*: which himself refers to; and the Parliament of *Paris* upon that account decreteth with so much indignation, telling us, that if this Decree, whereby the Popes declare themselves Sovereign Monarchs of the World, be legitimate, the Majesty Royal will then depend upon their humour, all their Liberties will be abolished; the Secular Judges will no longer have the Power to try the possession of Benefices, nor the civil and criminal Cause of Ecclesiastical Persons. All this is indeed literally true, and the natural consequence of that Bull. But then this alone abundantly manifests the Justice of our Charge, and the real difference of the Doctrines of the Churches of *France* and *Italy* in matters of the greatest moment. In *France* this Bull is esteemed impious, unjust, and uncanonical, derogatory to the Rights of Princes and Privileges of national Churches, contrary to the Laws, and destructive of the Christian Church. At *Rome* it is accounted sacred and inviolable, ratified and confirmed by more than twenty Popes, whose Names and Constitutions are prefixed to the Bull, published with the greatest Solemnity imaginable every *Munday-Thursday*; the Infringers and Violators of it declared *ipso facto* excommunicate; and Privileges and Dispensations to the contrary annulled and made void; and all this, as the Preface of the Bull assureth us, to preserve the Unity and Integrity of the Faith, to teach all private Christians what they are certainly to believe, and, by preventing their Fluctuation and Mistakes in Faith, to secure to them the attainment of eternal Salvation.

After

The PREFACE.

After this Bull hath been Enacted and confirmed by so many Popes, promulged so often and so solemnly, so exactly executed and put in practise by the Church of *Rome*, proposed as the Standard of Catholick Doctrine, and appealed to by this present Pope in the Controversies depending between him and the Court of *France*; it cannot be any longer doubted that all matters whether of belief or practise contained in it are esteemed necessary to Salvation by the particular Church of *Rome*. This also the punishments annexed to it evidently demonstrates, Excommunication and Anathema being *ipso facto* incurred by the violation of any part of it. For the very nature of these Excommunications supposeth that the persons offending do by that very act cease to be Christians or Catholicks, and disown themselves to be so, and that the action to which this punishment is declared to be annexed, is directly contrary to Faith, and destructive of it. If after all, the Doctrines of this Bull be denied to be justly charged upon the Church of *Rome*; it might with equal reason be pretended that the ancient Commonwealth of *Rome* could not be justly accused of Idolatry, or the worship of false gods, altho she established that worship with severe Laws, maintained the exercise of it with the public Revenues, punished the neglect of it with great strictness and severity, and made her addresses to those false Deities upon all great occasions and affairs of State; because some few Philosophers opposed the general opinion, contemned their Ceremonies, and disapproved their worship.

Many and large Observations might be drawn from this Bull disadvantageous to the Doctrine and Discipline of the present Church of *Rome*. But I will here take notice of no more than two. And first, Popery is commonly represented by the Reformed Divines as injurious to the Rights of Princes, and promoting Sedition and Rebellion. That the lawfulness of the Deposition of Princes hath been often defined by Popes and Councils, and put in practise by them, cannot be denied; but then it is pretended that it was not defined dogmatically, nor as a matter of faith, that their definitions are misrepresented by us, and were never received nor allowed by the Universal Church. However the justice of our Charge is sufficiently manifested by this Bull, which asserteth and maintaineth the Independency of the Clergy from the Secular Prince, by forbidding the Civil Power to apprehend, imprison, vex, summon, tax, fine, or exercise any Act of Authority over Ecclesiastical persons, upon pain of Excommunication and Anathema. Now Deposition of Princes by the Papal Authority, and exemption of the Clergy from any obedience to them, by reason

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of their immediate subjection to the Pope, being both founded upon the same principle of injustice and usurpation, do mutually infer each other. Nay to exempt the whole Clergy from the obedience of their Natural Prince, doth actually devest him of all authority of one part of his subjects, and deprive him of one half of his Kingdom, especially in those Countries where the Clergy and Regulars are vastly numerous, as in all places where Popery obtains, or where they possess a great part of the Revenues of the Kingdom; the Secular Prince being not only forbidden to impose any Taxes upon the Clergy, or their Revenues, but also even to receive them when voluntarily offered without an express License from the Court of *Rome*. If after all this the *Romish* Emissaries will pretend to true and real Loyalty, and acknowledge their subjection to their Natural Prince, they must first own themselves to be Excommunicated persons, and lay down the name of *Roman* Catholicks. But we have reason to believe that our *English* Missionaries intend no such acknowledgment; since they have with so much pomp lately revived the Festival of *St. Thomas Becket*, who died in defence of this Trayterous Position, That the Clergy owe no Subjection to the Secular Power.

In the next place it may be observed, that the greatest part of this Bull is employed in Excommunicating and Anathematizing all those who any ways presume to intermeddle in the cognizance of Ecclesiastical matters, or interrupt the proceedings of Ecclesiastical Courts by Prohibitions, Appeals, or any Evasions of the like nature; or who give aid, advice, or consent thereto. All this is worded with such scrupulous nicety and exactness; that it is impossible to be avoided by any subtle Evasions, and then the Excommunication incurred can be taken off and absolved only by the Pope himself, except at the point of death, and then only when eminent signs of true repentance and assurance of full satisfaction are given. Notwithstanding such express prohibition and denunciation of Anathema's; it is notoriously known that all Popish Princes do intermeddle in judging Ecclesiastical Causes; that particularly in *France* the Spiritual Courts are almost wholly rendered useless and debarred from exercising their Authority by frequent Prohibitions from the Secular Court, and that in *Sicily* all Ecclesiastical Matters and Causes are decided by the sole Authority of the King of *Spain* and his Commissioners; not to mention examples and practises of the like nature in other Popish Countries. From whence it follows that by vertue of this Bull all these Princes, their Counsellors, Parliaments, Lawyers, and Adherents, together with all who procure, execute or consent to these Prohibitions and Impe-
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diments of Ecclesiastical Justice, stand Excommunicate by the Pope; and are really no Members of the Church of *Rome*.

No Priviledg or Exemption can in this case be drawn from ancient Immunities, Pragmaticks or Concordats, which the Parliament of *Paris*, so much insist on; since the Bull proceeds with a *Non obstante* to all these, and declares them Null, whensoever they oppose the Contents of the Bull. Nay, decreeth that whoever recurs to them, thereby to elude the Obligation of the Bull, shall thereby *ipso Facto* become Excommunicate, altho he should in no other case have incurred that Punishment. In vain, therefore doth the Parliament of *Paris* oppose the Liberties of the *Gallican* Church, the Pragmatick of *St. Lewis*, and Concordat of *Lewis* the XI. and *Francis* to the present Attempts of the Pope, and his Excommunication of the Marquis of *Lavardin*. For the Pope having wisely grounded his Proceedings upon the Bull in *Causa Domini*, which annuls and abolisheth them all, the Parliament must either forego their Plea, or their pretence of retaining Communion with the Church of *Rome*. By the same Artifice the Pope hath cut off the Advocates Appeal to a future Council. For the Bull declareth that all who make, admit, favour, or countenance any such Appeal, shall incur Excommunication. Thus also the Argument of the Invalidity of the Excommunication of the Ambassador, drawn from the Omision of his Name in the Papal Instrument, falls to ground. For the Bull hath particularly provided for this Case, and decreeth that all Violators of it, of what Dignity soever, shall be as effectually Excommunicated, as if they had been particularly named in it.

If then all the Violators of this Bull, are *ipso Facto* Excommunicated; and all, or at least almost all the Popish Princes of *Christendom*, together with the greatest part of their Subjects, are open and manifest Violators of it, it follows that we have very false Notions of Popery, when we imagine it a large and diffusive Sect; that vast and numerous Schisms are entertained, and lay undiscerned in the Bosom of the Church of *Rome*; that the Primacy of the Pope instead of being the Center of Unity, is indeed the Fountain of Schism; and that among many Papists, there are few Catholics. For if, as our Adversaries commonly define it, the Catholick Church be the Collection of all Christians in Communion with the particular Church of *Rome*, whosoever are Excommunicated by the Pope, cease to be in Communion with the Church of *Rome*, and consequently in their Opinion, cease to be Catholics. They may indeed still remain Members of the truly Catholick Church; but then a true Notion of the

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the Catholick Church must be allowed, and the former must be discarded. But then the Church of *England* may also put in her claim for Catholick, and the grand Argument of our Adversaries against her Reformation, will be totally dissolved. However it manifestly appears that this Bull hath shut most Papists out of the Bosom of the Church, and reduced the Church of *Rome* to very narrow Limits.

Whenever, therefore our zealous Missionaries exaggerate to us the extent of their Church, -and urge the glorious Title of Amplitude in favour of it, we may justly reject it; it not certainly appearing, who may be properly called *Roman* Catholicks, since this, and other Bulls of the like Nature, which inflict *ipso Facto* Excommunications, deprive vast numbers of Men, whole Societies, and perhaps Kingdoms, of Communion with the Church of *Rome*; or if we in any manner allow their Argument, we must first require them to subtract from their account all whom the Pope in this Bull doth Excommunicate, and thereby puts in the same Condition with *Turks*, *Infidels*, and *Hereticks*. We have one request more to them, that to facilitate the Conversion of three Kingdoms, they would obtain of the Pope an Abolition of this Bull, or at least of that Clause of it, which Excommunicates all Secular Persons who possess Church Lands. For since out of the abundance of their Generosity they have been pleased to assure to us the quiet Possession of Abby-Lands, it remains to compleat their kindness, that they set us right in the Court of *Rome*, as well as that of *Westminster*. Otherwise it will be an eternal Obstacle to the Conversion of the Possessors of these Lands, if the Curses of our Holy Father the Pope, be plentifully showred down upon them every *Maunday-Thurday*; and they must entrust their Souls to the Pope for no other end, than that he may deliver them up to the Devil.

Ex Bulla-

Ex Bullario Laertii Cherubini, Romæ 1638.

TOM. III. p. 183.

Constitutio Pauli V. 63.

The Sixty third Constitution
of Paul V.

EXcommunicatio & Anathematizatio quorumcumq; Hæreticorum, eorumq; fautorum ac Schismaticorum, vel Ecclesiasticam Libertatem lædentium, aut quoquo modo dispositis in hac Bulla, de more in die Cæna Domini publicare solita, contravenientium.

THe Excommunicatio and Anathematization of all Hereticks whatsoever, and their favourers, and Schismatics, or of those who violate the Ecclesiastical Liberty, or any ways infringe the Contents of this Bull, which is wont to be published on Maunday Thursday.

Quoad omnia quasi Capitula hujus Bullæ (ultra Extravagan. 3. Pauli II. & Extravagan. 5. Sixti IV. in tit. de Pœnitentia & Remissionibus) habes supra Constitut. 1. Urbani V. fol. 215. Constitut. 25. Julii II. f. 482. Constitut. 10. Pauli III. f. 522. necnon Constitut. 81. Gregorii XIII. f. 348. l. 2. Aliorum autem Bullas ejusmodi Cænæ Domini nuncupatas volens prætermisi, his duntaxat contentus,

As for almost all the Chapters of this Bull, (besides the 3d Extravagant of Paul II. and the 5th Extravagant of Sixtus IV. in the Title of Penance and Remissions) you have them before ordained in the first Constitution of Urban. V. fol. 215: in the 25th Constitution of Julius II. f. 482. in the 10th Constitution of Paul III. f. 522. and in the 81st Constitution of Gregory XIII. f. 348. lib. 2. Other Bulls of this na-

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ex

ex quibus pro temporum
conditione Romanos Pontifi-
ces aliquid immutasse cognos-
catur. Non tamen postha-
bui proxime indicandas, uti
apprime necessarias, & super
hujus Bullæ capitibus specia-
liter editas.

Extat ergo in hoc Opere
specialis edita sanctio Nicolai
III. circa § primum hujus
Bullæ in ejus Const. 2. sup.
fol. 143. & circa § 2. extat
Const. 5. Pii II. f. 290. l. 1.
Circa § 4. extat Const. 7.
Pii V. f. 137. l. 2. Circa § 7.
extat Const. 3. Nicolai V. f.
283. l. 1. Circa § 10. extat
Canon Callisti I. in c. 23. caus.
24. q. 3. Circa § 11. respectu
Cardinalium extat Const. 16.
Leonis X. f. 420. l. 1. & alia
93. Pii V. f. 222. l. 2. Circa
§ 12. extat Const. 11. Alex-
andri VI. f. 352. Circa § 14.
extat Const. 2. Martini V. f.
239 & alia 17. Innocentii VIII.
f. 343. ac altera 30. Leonis X.
f. 440. necnon alia 39. Cle-
mentis VII. f. 505. l. 1. &
altera 19. Gregorii XIII. f. 290.

ture, called Bulls in Cæna
Domini, I have purposely o-
mitted, being content with
these; from which it may ap-
pear that the Popes have made
some Variation in them, ac-
cording to the Exigency of the
times. Yet I would not omit
those which follow, as being
especially necessary, and parti-
cularly published upon the se-
veral Chapters of this Bull.

There is extant therefore
in this Collection, a particular
Edit of Nicolas III. about the
1st Section of this Bull in his
2d Constitution. Sup. fol. 143.
concerning Sect. 2. there is ex-
tant, Const. 5. of Pius II. f.
290. l. 1. concerning §. 4. there
is extant, Const. 7. of Pius V.
f. 137. l. 2. concerning §. 7. is
extant, Const. 3. of Nicolas
V. f. 283. l. 1. concerning §. 10.
is extant a Canon of Callistus.
in c. 23. Const. 24. qu. 3. Con-
cerning §. 11. in respect of the
Cardinals is extant, Const. 16.
of Leo X. f. 420. l. 1. and
Const. 93. of Pius V. f. 222.
l. 2. Concerning § 12. is ex-
tant Const. 11. of Alexander
VI. f. 352. Concerning § 14.
is extant Const. 2. of Martin V.
f. 239. and Const. 17. of Inno-
*
l. 2.

l. 2. Circa § 15. multi sunt Canones in Corpore Juris, & extat Const. 10. Martini V. f. 247. Circa § 19. extat Const. 3. Urbani VI. f. 222. Et Circa § 20. extat Const. 8. Joannis XXII. f. 174. & alia 3. Clementis VI. f. 212. alia 13. Leonis X. f. 314. & altera 11. Pauli IV. f. 595.

Alia hujusmodi Excommunicatio in die Cœnæ Domini Promulgari solita est in S. D. N. Urbani VIII. Const. 62. Pastoralis infr. Tom. 4.

Paulus Episcopus, Servus Servorum Dei, ad perpetuam rei memoriam.

Pastoralis Romani Pontificis vigilantia & sollicitudo, cum in omni Reipublicæ Christianæ pace & tranquillitate procuranda pro sui muneris officio assidue versatur, tum potissimum in Catholicæ fidei sine qua im-

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cent VIII. f. 343. and Const. 30. of Leo X. f. 440. and Const. 39. of Clement VII. f. 505. l. 1. and Const. 19. of Gregory XIII. f. 290. l. 2. Concerning § 15. are many Canons in the Body of the Law, and Const. 10. of Martin V. f. 247. Concerning § 19. is extant Const. 3. of Urban VI. f. 222. Concerning § 20. is extant Const. 8. of John XXII. f. 174. and Const. 3. of Clement VI. f. 212. and Const. 13. of Leo X. f. 314. and Const. 11. of Paul IV. f. 595.

Another like Excommunication usually published on Maunday Thursday, is extant in the 62d Constitution of our Holy Lord Urban VIII. inf. Tom 4.

Paul Bishop, Servant of the Servants of God, in perpetual memory of the thing now Decreed.

THE Pastoral vigilance and care of the Bishop of Rome, being by the duty of his Office continually employed in procuring by all means the peace and tranquillity of Christendom, is more especially eminent in retaining and possible

possible

possibile est placere Deo, unitate atq; integritate retinenda, maxime elucet: Nimirum ut fideles Christi non sint parvuli fluctuantes, neq; circumferantur omni vento doctrinæ in nequitia hominum ad circumventionem erroris, sed omnes occurrant in unitate fidei & agnitionis Filii Dei in virum perfectum, neq; se in hujus vitæ societate & communione lædant, aut inter se alter alteri offensio- nem præbeat, sed potius in vinculo caritatis conjuncti, tanquam unius corporis membra sub Christo capite, ejusq; in terris Vicario Romano Pontifice Beatissimi Petri Successore, a quo totius Ecclesiæ unitas dimanat, au- geantur in ædificatione, atq; ita divina gratia adjutrice sic præsentis vitæ quiete gaude- ant, ut futura quoque beati- tudine persfruantur. Ob quas sane causas Romani Pontifices prædecessores nostri hodierna die, quæ anniversaria Domini- cæ Cœnæ commemoratione solennis est, spirituales Ec- clesiasticæ disciplinæ gladium, & salutaria justitiæ arma per ministerium summi Aposto-

preserving the unity and inte- grity of Catholick Faith; with- out which it is impossible to please God: That so the faith- ful of Christ may not be as Children wavering, nor be car- ried about with every wind of Doctrine, by the cunning craft of men, whereby they lay in wait to deceive; but that all may meet in the unity of the Faith, and the knowledg of the Son of God unto a perfect man: That in the communion and so- ciety of this life they may not injure nor offend one another; but rather being joyned toge- ther with the bond of Charity, as members of one body under Christ the Head, and his Vicar upon Earth the Bishop of Rome, St. Peter's Successor, from whom the unity of the whole Church doth flow, may be increased in edification, and by the assistance of the Divine Grace may so enjoy the tran- quility of this present life, that they may also attain eternal happiness. For which Reasons the Bishops of Rome, our Pre- decessors, upon this day, which is dedicated to the Anniver- sary commemoration of our Lord's Supper, have been wont

latus ad Dei gloriam & animarum salutem solenniter exercere consueverunt. Nos igitur, quibus nihil optabilius est, quam fidei inviolatam integritatem, publicam Pacem & Justitiam, deo autore, tueri, vetustum & solennem hunc morem sequentes;

solemnly to exercise the Spiritual Sword of Ecclesiastical Discipline and wholsom Weapons of Justice by the Ministry of the Supreme Apostolate to the glory of God, and salvation of Souls. We therefore, desiring nothing more than by the guidance of God to preserve inviolable the integrity of Faith, publick Peace and Justice; following this ancient and solemn Custom;

§. 1. Excommunicamus & anathematizamus ex parte Dei Omnipotentis, Patris & Filii & Spiritus Sancti, auctoritate quoque Beatorum Apostolorum *Patri & Pauli*, ac nostra, quoscumque Hussitas, Vuichlephistas, Luticanos, Zuinglianos, Calvinistas, Ugonottos, Anabaptistas, Trinitarios, & a Christiana fide Apostatas, ac omnes & singulos alios Hæreticos, quocumque nomine censeantur, & cujuscumque sectæ existant; ac eis credentes, eorumque receptatores, fautores, & generaliter quoslibet illorum defensores; ac eorundem libros hæresin continentes, vel de Religione tractantes sine auctoritate no-

§. 1. *We excommunicate and anathematize in the name of God Almighty, Father, Son and Holy Ghost, and by the authority of the Blessed Apostles Peter and Paul, and by our own, all Hussites, Wiclephists, Lutherans, Zuinglians, Calvinists, Hugonots, Anabaptists, Trinitarians, and Apostates from the Christian Faith, and all other Hereticks by whatsoever name they are called, and of whatsoever Sect they be: as also their Adherents, Receivers, Favourers, and generally any Defenders of them; together with all who without our Authority, or that of the Apostolick See, knowingly read, keep, print, or any ways for any cause whatsoever, pub-*
stra

stra & Sedis Apostolicæ scienter legentes aut retinentes, imprimentes, seu quomodolibet defendentes, ex quavis causa publice vel occulte, quovis ingenio vel colore; necnon Schismaticos & eos qui se a nostra & Romani Pontificis pro tempore existentis obedientia pertinaciter subtrahunt vel recedunt.

§ 2. Item, Excommunicamus & anathematizamus omnes & singulos, cujuscunque status, gradus, seu conditionis fuerint, Universitates Collegia & Capitula, quocunque nomine nuncupentur, interdicimus, ab ordinationibus seu mandatis nostris ac Romanorum Pontificum pro tempore existentium ad Universale futurum Concilium appellantes; necnon eos quorum auxilio vel favore appellatum fuerit.

§ 3. Item, Excommunicamus & anathematizamus omnes Piratas, Cursarios ac Latrunculos Maritimos, discurrentes Mare nostrum, præcipue a Monte Argentario usque ad Terracinam, ac omnes eorum fautores, receptatores & defensores.

lickly or privately on any pretext or colour defend their Books containing Heresie, or treating of Religion; as also Schismaticks, and those who withdraw themselves, or recede obstinately from the obedience of us, or the Bishop of Rome for the time being.

§ 2. Further, We excommunicate and anathematize all and singular, of whatsoever station, degree or condition they be; and interdict all Universities, Colledges and Chapters, by whatsoever name they are called; who appeal from the Orders or Decrees of Us, or the Popes of Rome for the time being to a future General Council; and those by whose aid and favour the Appeal was made.

§ 3. Further, We excommunicate and anathematize all Pirates, Corsairs and Robbers by Sea, roving about our Sea chiefly from Mount Argentiere to Terracina, and all their Abettors, Receivers and Defenders.

§ 4. Item,

§. 4. Item, Excommunicamus & anathematizamus omnes & singulos, qui Christianorum quorumcunq; navibus tempestate, seu in transversum (ut dici solet) jactatis, vel quoquo modo naufragium passis, seu in ipsis navibus, sive ex eisdem ejecta in Mare, vel in littore inventa, cujuscunque generis bona, tam in nostris, *Tyrrheni & Adriatici*, quam in cæteris cujuscunque Maris regionibus & littoribus, surripuerint; ita ut nec ob quodcunque Privilegium, Consuetudinem, aut longissimi etiam immemorabilis temporis possessionem, seu alium quemcunque prætextum excusari possint.

§ 5. Item, Excommunicamus & anathematizamus omnes qui in terris suis nova Pedagia seu Gabellas, præterquam in casibus sibi a jure, seu ex speciali sedis Apostolicæ licentia permissis, imponunt vel augment, seu imponi vel augeri prohibita exigunt.

§ 6. Item, Excommunicamus & anathematizamus omnes falsarios literarum Apostolicarum, etiam in forma

§ 4. Further, We excommunicate and anathematize all and singular, who when the Ships of any Christians are either driven out of the way by Tempest, or any ways suffer shipwreck, convey away any Goods of what kind soever, either in the Ships themselves, or cast out of the Ships into the Sea, or found on the Shore, as well in our Tyrrhenian and Adriatick Seas, as in any other Divisions of Shores of all Seas whatsoever; so that they shall not be excused by any Privilege, Custom, or possession of time immemorial, or any other pretext whatsoever.

§ 5. Further, We excommunicate and anathematize all who impose or augment any new Tolls or Gabells in their Dominions, except in cases permitted to them by Law, or by especial leave of the Apostolick See; or, who exact such Taxes forbidden to be imposed or augmented.

§ 6. Further, We excommunicate and anathematize all Forgers of Apostolick Letters, even in form of a Brief, and
Brevis,

Brevis, ac Supplicationum, Gratiā vel Justitiā concernentium, per *Romanum Pontificem* vel *S. R. E. Vicecancellarios* seu gerentes vices eorum, aut de mandato ejusdem Pontificis signatarum, necnon falso publicantes literas Apostolicas, etiam in forma Brevis, & etiam falso signantes Supplicationes hujusmodi sub nomine *Romani Pontificis* seu *Vicecancellarii*, aut gerentium vices prædictorum.

§ 7. Item; Excommunicamus & anathematizamus omnes illos, qui ad *Saracenos, Turcas*, & alios Christiani nominis hostes, & inimicos, vel Hæreticos per nostras vel hujus Sanctæ Sedis sententias expresse vel nominatim declaratos deferunt seu transmittunt Equos, Arma, Ferrum, filum Ferri, Stannum, Chalybem, omniaque Metallo-
rum genera atque Bellica Instrumenta, Lignamina, Canapem, Funes, tam ex ipso Canape quam alia quacunque materia, & ipsam materiam, aliaque hujusmodi, quibus Christianos & Catholicos impugnant; necnon illos qui

of Supplications respecting Indulgence or Justice, signed by the Pope of Rome, or by the Vice-chancellours of the Holy See of Rome, or by their Deputies, or by the command of the said Pope; as also those who falsly publish the Apostolick Letters, even in form of a Brief; and those who falsly sign such Supplications in the name of the Pope of Rome, or the Vice-chancellor, or their Deputies.

§ 7. Further, We excommunicate and anathematize all those, who carry or transmit to the Saracens, Turks, and other Enemies and Foes of the Christian Religion, or to those who are expressly and by name declared Hereticks by the Sentence of us, or of this Holy See, Horses, Arms, Iron, dust of Iron, Tin, Steel, and all kind of Metals, and Warlike Instruments, Timber, Hemp, Ropes made as well of Hemp as of any other matter, and that matter whatsoever it be, and other things of this nature, which they make use of to the prejudice of Christians and Catholicks: as also those who
per

per se vel per alios de rebus
statum Christianæ Reipubli-
cæ concernentibus, in Chri-
stianorum perniciem & dam-
num ipsos *Turcas* & Christianæ
Religionis inimicos, nec-
non Hæreticos, in damnum
Catholicæ Religionis, certio-
res faciunt, illisque ad id
auxilium consilium vel favo-
rem quomodolibet præstant.
Non obstantibus quibuscunq;
Privilegiis, quibusvis Perso-
nis, Principibus, Rebus-pub-
licis, per Nos & Sedem præ-
dictam hætenus concessis, de
huiusmodi prohibitione ex-
pressam mentionem non fa-
cientibus.

§ 8. Item, Excommuni-
camus & anathematizamus
omnes impediētes seu inva-
dentes eos, qui victualia seu
alia ad usum *Romanæ Curie*
necessaria adducunt, ac etiam
eos qui ne ad *Romanam* Curi-
am adducantur vel afferantur
prohibent, impediunt seu
perturbant, seu hæc facien-
tes defendunt per se vel per
alios, cujuscunque fuerint
ordinis, præeminentiæ, condi-
tionis & status, etiam si Pon-
tificali seu Regali aut alia
quavis Ecclesiastica vel mun-

*by themselves or others give
intelligence of matters relating
to the State of Christendom to
the Turks and Enemies of the
Christian Religion to the hurt
and prejudice of Christians,
or to Hereticks to the preju-
dice of the Catholick Religion,
or who any ways afford to them
counsel, assistance or favour;
notwithstanding any Privileges
hitherto granted by Us and
the aforesaid See to any Per-
sons, Princes or Common-
wealths; wherein express
mention is not made of this
prohibition.*

§ 8. Further, We excom-
municate and anathematize all
bindering or invading those,
who bring Provisions, or any
other things necessary, for the
use of the Court of Rome; as
also those who forbid, hinder
or obstruct the bringing or con-
ducting of them to the Court
of Rome; or who abet the
doers of these things either by
themselves, or by others; of
whatsoever order, preemi-
nence, condition or quality
they be, even although they
be Bishops or Kings, or inve-

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dana præfulgeant dignitate.

§ 9. Item, Excommunicamus & anathematizamus omnes illos, qui ad sedem Apostolicam venientes, & recedentes ab eadem, sua vel aliorum opera interficiunt, mutilant, spoliunt, capiunt, detinent; necnon illos omnes qui jurisdictionem ordinariam vel delegatam a nobis vel nostris Judicibus non habentes, illam sibi temere vendicantes, similia contra morantes in eadem Curia audent perpetrare.

§ 10. Item, Excommunicamus & anathematizamus omnes interficientes, mutilantes, vulnerantes, detinentes, capientes seu deprædantes Romipetas seu Perigrinos ad Urbem causa Devotionis seu Peregrinationis accedentes, & in ea morantes, vel ab ipsa recedentes, & in his dantes auxilium, consilium, vel favorem.

§ 11. Item, Excommunicamus & anathematizamus omnes interficientes, vulnerantes, mutilantes, percutientes, capientes, carcerantes, detinentes, vel hostiliter

Red with any other Ecclesiastical or Secular Dignity.

§ 9. Farther, We excommunicate and anathematize all those who kill, maim, spoil, apprehend or detain by themselves, or by others, those who come to the Apostolick See, or return from it; as also all those who having no ordinary jurisdiction, nor any Delegated by Us or our Judges, rashly challenging it to themselves, presume to commit any like actions against those who reside at the Court of Rome.

§ 10. Farther, We excommunicate and anathematize all who kill, maim, wound, detain, apprehend, or rob Travellers to Rome, or Pilgrims for the sake of Devotion or Pilgrimage going to that City, staying in it, or returning from it; and those who give aid, counsel or favour in these cases.

§ 11. Further, We excommunicate and anathematize all who slay, wound, maim, strike, apprehend, imprison, detain, or in hostile manner pursue the Cardinals of the Holy Church infuquentes

insequentes *S. R. E.* Cardinales, ac Patriarchas, Archiepiscopos, Episcopos, Sedisq; Apostolicæ Legatos vel nuncios, aut eos a suis Diæcesibus, Territoriis, Terris, seu Dominiis ejicientes, necnon ea mandantes vel rata habentes, seu præstantes in eis auxilium, consilium, vel favorem.

§ 12. Item, Excommunicamus & anathematizamus omnes illos, qui per se vel per alios, personas Ecclesiasticas quascunque, vel seculares ad *Romanam* Curiam super eorum causis & negotiis recurrentes, ac illa in eadem Curia prosequentes aut procurantes, negotiorumque gestores, advocatos, procuratores & agentes, seu etiam Auditores vel Judices super dictis causis vel negotiis deputatos, occasione causarum vel negotiorum hujusmodi, occidunt, seu quoquo modo percutiunt, bonis spoliunt; seu qui per se vel per alios, directe vel indirecte delicta hujusmodi committere, exequi vel procurare, aut in eisdem auxilium, consilium vel favorem præstare non verentur, cujuscunque

of Rome, and Patriarchs, Archbishops, Bishops, Legats. or Nuncios of the Apostolick See; or those who drive them out of their Territories, Diocesses, Lands or Dominions; or those who command or allow these things to be done, or give aid, counsel and favour to them.

§ 12. Further, We excommunicate and anathematize all those, who by themselves or by others slay, or any ways strike or despoil any Ecclesiastical or Secular Persons having recourse to the Court of Rome for their Causes and Affairs, and prosecuting and managing them in the said Court, or even the Auditors or Judges deputed for the hearing and managing of the said Causes and Affairs, upon occasion of these Causes and Affairs: as also those who by themselves or by others directly or indirectly presume to act or procure the said Crimes, or to give aid, counsel or favour to them, of whatsoever preheminance or dignity they be.

præeminentiae & dignitatis fuerint.

§ 13. Item, Excommunicamus & anathematizamus omnes tam Ecclesiasticos quam Seculares, cuiuscunque dignitatis, qui prætexentes frivolam quandam appellationem a gravamine vel futura executione literarum Apostolicarum etiam in forma Brevis, tam gratiam quam iustitiam concernentium, necnon citationum, inhibitionum, sequestrorum, monitoriorum, processuum, executorialium, & aliorum Decretorum; a Nobis & Sede prædicta seu Legatis, Nunciis Præsidentibus, Palatii nostri & Camere Apostolicæ Auditoribus, Commissariis, aliisque Iudicibus & delegatis Apostolicis emanatorum, & quæ pro tempore emanaverint, aut alias ad Curias Sæculares & Laicam potestatem recurrunt, & ab ea instante etiam Fisci Procuratore & Advocato, appellationes huiusmodi admitti, ac literas, citationes, inhibitiones, sequestra, monitoria, & alia prædicta, capi & retineri faciunt. Quive illa simpliciter, vel sine

§ 13. *Further, We excommunicate and anathematize all those, as well Ecclesiasticks as Seculars, of whatsoever dignity they be, who under pretence of a certain frivolous appeal from the injustice or future execution of the Apostolick Letters, even in form of a Breve, respecting as well indulgence as justice, as also from the injustice and future execution of Citations, Inhibitions, Sequestrations, Monitories, Processes, Executorials and other Decrees, issuing out, or which shall at any time issue out from Us and the aforesaid See, or our Legates, Nuncios, or Presidents, from the Auditors of our Palace and Apostolick Chamber, from our Commissaries, and other Apostolick Judges and Delegates: as also those, who any other ways have recourse to Secular Courts and the Lay Power; and who cause such Appeals to be admitted by the Secular Courts, even although the Procurator and Advocate of the Exchequer should require it; or who cause the eorum.*

eorum beneplacito & consensu vel examine executioni demandari, aut ne Tabelliones & Notarii super hujusmodi literarum & processuum executione, instrumenta vel acta conficere, aut confecta parti cujus interest, tradere debeant, impediunt vel prohibent, ac etiam partes seu eorum agentes, consanguineos, affines, familiares, notarios, executores, & sub-executores literarum, citationum, monitoriorum, & aliorum prædictorum capiunt, percutiunt, vulnerant, carcerant, detinent, ex Civitatibus, Locis, & Regnis ejiciunt, bonis spoliunt, perterrefaciunt, concutiunt & comminantur per se vel per alium seu alios, publice vel occulte; quive alias quibuscunque personis in genere vel in specie, ne pro quibusvis eorum negotiis proseguendis seu gratis vel literis impetrandis ad Romanam Curiam accedant, aut recursum habeant, seu gratias ipsas vel literas a dicta Sede impetrent seu impetratis utantur, directe vel indirecte prohibere, statuere seu mandare,

aforesaid Letters, Citations, Inhibitions, Sequestrations, Monitories, &c. to be seized or retained; or those who hinder or forbid the said Letters to be put in execution, either simply, or without their goodwill, consent or examination; or who hinder or forbid Scriveners or Notaries from making or delivering when made to the Parties concerned any Instruments or Acts concerning the execution of these Letters and Processes; or who apprehend, strike, wound, imprison, detain, drive out of Cities, Places and Kingdoms, despoil of their Goods, terrify, vex and threaten, either by themselves or by others, publicly or privately, the Parties, or their Agents, Kindred on both sides, their Friends, Notaries, the Executors or Sub-executors of the said Letters, Citations, Monitories, &c. or who any other way presume directly or indirectly to forbid, ordain and command, any Persons in general or in particular, to betake themselves, or have recourse to the See of Rome to prosecute their Affairs of any kind, or to obtain Indul-
vel:

vel eas apud se aut Notarios seu Tabelliones, vel alias quomodolibet retinere præsumunt.

§ 14. Item excommunicamus & anathematizamus omnes & singulos, qui per se vel alios, auctoritate propria ac de facto, quarumcunq; exemptionum vel aliarum gratiarum & literarum Apostolicarum prætextu, beneficiales, & decimarum, ac alias causas spirituales ac spiritualibus annexas, ab Auditoribus & Commissariis nostris, aliisq; Judicibus Ecclesiasticis avocant; illarumve cursum & audientiam; ac personas, capitula, Conventus, Collegia, causas ipsas prosequi volentes impediunt ac se de illarum cognitione tanquam Judices interponunt. Quive partes actrices, quæ illas committi fecerunt & faciunt, ad revocandum & revocari faciendum citationes vel inhibitiones aut alias literas in eis decretas, & ad faciendum vel

gences or Letters, or who forbid them to obtain the said Indulgences, or to make use of them when obtained of the said See; or who presume to retain the said Indulgences in their own hands, or in the hands of a Notary or a Scrivener, or any other way.

§. 14. Further we Excommunicate and Anathematize all and singular, who by themselves or by others, by their own Authority and de facto, under pretence of any exemptions, or any other Apostolick Indulgences and Letters, take away the cognizance of Benefices, and Tithes, and other spiritual Causes, or annexed to spirituals from our Auditors and Commissaries, and other Ecclesiastical Judges; and hinder the proceeding and audience of them, and the Persons, Chapters, Convents, Colledges, desiring to prosecute the said Causes; or who intrude themselves as Judges in the Cognizance of them; or who by order, or any other way compel the Plaintiffs to withdraw, or cause to be withdrawn, their Citations, or Inhibitions, or any other Letters decreed in the spiritual con-

consentiendum eos contra quos tales inhibitiones emanarunt a censuris & pœnis in illis contentis absolvi, per statutum vel alias compellunt; vel executionem literarum Apostolicarum seu executorialium, processuum ac decretorum prædictorum quomodolibet impediunt, vel suum ad id favorem, consilium aut assensum præstant, etiam prætextu violentiæ prohibendæ, vel aliarum prætensionum, seu etiam, donec ipsi ad nos informandos, ut dicunt, supplicaverint aut supplicari fecerint; nisi supplicationes hujusmodi coram Nobis & sede Apostolica legitime prosequantur, etiamsi talia committentes fuerint Præsidentes Cancellariorum, Consiliorum, Parlamento- rum, Cancellarii, Vice-cancellarii, Consiliarii, ordinarii vel extraordinarii quorumcunq; Principum Sæcularium; etiamsi Imperiali, Regali, Ducali, vel alia quacunq; præfulgeant dignitate; aut Archiepiscopi, Episcopi, Ab- bates, Commendatarii seu Vicarii fuerint.

Court; and the Defendants, against whom such Inhibitions were issued out, to procure, or consent to be absolved from the Censures or Punishments contained in them; or who any ways hinder the execution of Apostolick Letters, Executorials, Processes and Decrees aforesaid; or give their allowance, counsel, or assent to it, even under pretence of hindering violence, or any other pretexts whatsoever, or even until they shall Petition us, or cause us to be Petitioned for our better information, as is commonly pretended, unless they prosecute such Petitions before us and the Apostolick See in lawful form; even although those who commit such things should be Presidents of Chanceries, Councils, or Parliaments, Chancellors, Vice-chancellors, ordinary or extraordinary Counsellors of any secular Princes, (whether they be Emperors, Kings, Dukes, or any other dignity) or Archbishops, Bishops, Abbots, Commendataries or Vicars.

§ 15. Quive ex eorum prætenso officio, vel ad instantiam partis, aut aliorum quorumcunq; personas Ecclesiasticas, Capitula, Conventus, Collegia Ecclesiarum quorumcunq; coram se ad suum Tribunal, Audientiam, Cancellariam, Consilium, vel Parlamentum, præter juris Canonici dispositionem, trahunt, vel trahi faciunt vel procurant, directe vel indirecte, quovis quæsito colore; nec non qui statuta, ordinationes, constitutiones, pragmaticas, seu quævis alia decreta in genere vel in specie, ex quavis causa & quovis quæsito colore, ac etiam prætextu cujusvis consuetudinis & privilegii, vel alias quomodolibet fecerint, ordinaverint & publicaverint, vel factis & ordinatis usi fuerint, unde libertas Ecclesiastica tollitur, seu in aliquo læditur vel deprimitur, aut alio quovis modo restringitur, seu nostris & dictæ sedis, ac quarumcunq; ecclesiarum juribus quomodolibet directe vel indirecte, tacite vel expresse præjudicatur.

§. 15. *Also those who under pretence of their Office, or at the instance of any party, or of any others, draw, or cause and procure to be drawn, directly, or indirectly, upon any pretext whatsoever, Ecclesiastical Persons, Chapters, Convents, Colleges of any Churches, before them to their Tribunal, Audience, Chancery, Counsel, or Parliament, against the Rules of the Canon-Law; as also those who for any cause, or under any pretext, or by pretence of any Custom or Priviledg, or any other way, shall make, enact, and publish any Statutes, Orders, Constitutions, Pragmaticks, or any other Decrees in general or in particular; or shall use them when made and enacted; whereby the Ecclesiastical Liberty is violated, or any ways injured or depressed, or by any other means restrained; or whereby the Rights of us and of the said See, and of any other Churches, are any way directly or indirectly, tacitely or expressly prejudged.*

§ 16. Necnon qui Archiepiscopos, Episcopos, aliosq; superiores & inferiores Prælatos, & omnes alios quoscunq; Judices Ecclesiasticos ordinarios quomodolibet hac de causa directe vel indirecte, carcerando vel molestando eorum agentes, procuratores, familiares necnon consanguineos & affines, aut alias impediunt, quo minus jurisdictione sua Ecclesiastica contra quoscunq; utantur, secundum quod Canones & sacræ constitutiones Ecclesiasticæ, & decreta Conciliorum Generalium, & præsertim Tridentini, statuunt; ac etiam eos qui post ipsorum ordinariorum ac etiam ab eis delegatorum quorumcunq; sententias & decreta, aut alias fori ecclesiastici judicium eludentes, ad Cancellarias & alias Curias seculares recurrunt, & ab illis prohibitiones & mandata etiam pænalia, ordinariis aut delegatis prædictis decerni, & contra illos exequi procurant; eos quoq; qui hæc decernunt & exequuntur, seu dant auxilium, consilium, patrocinium & favorem in eisdem.

§ 16. Also those who upon this account directly or indirectly hinder Archbishops, Bishops, and other superior and inferior Prelates, and all other ordinary Ecclesiastical Judges whatsoever by any means, either by imprisoning or molesting their Agents, Proctors, Domesticks, kindred on both sides, or by any other way, from exerting their Ecclesiastical jurisdiction against any persons whatsoever, according as the Canons and sacred Ecclesiastical Constitutions and Decrees of General Councils, and especially that of Trent, do appoint; as also those who after the sentence and decrees of the Ordinaries themselves, or of those delegated by them, or by any other means eluding the judgment of the Ecclesiastical Court, have recourse to Chanceries or other secular Courts, and procure thence Prohibitions and even Penal Mandates to be decreed against the said Ordinaries and Delegates and executed against them; also those who make and execute these Decrees, or who give aid, counsel, countenance or favour to them.

§ 17. Quive jurisdictiones seu fructus, redditus & proventus ad nos & sedem Apostolicam, & quasque Ecclesiasticas personas ratione Ecclesiarum, Monasteriorum & aliorum beneficiorum Ecclesiasticorum pertinentes usurpant, vel etiam quavis occasione vel causa sine Romani Pontificis vel aliorum ad id legitimam facultatem habentium expressa licentia sequestrant.

§ 18. Quive collectas, decimas, talleas, præstantias & alia onera Clericis, Prælatiis & aliis personis Ecclesiasticis, ac eorum & Ecclesiarum, Monasteriorum & aliorum beneficiorum Ecclesiasticorum bonis, illorumve fructibus, redditibus & proventibus hujusmodi, absque simili Romani Pontificis speciali & expressa licentia imponunt, & diversis etiam exquisitis modis exigunt, aut sic imposita a sponte dantibus & concedentibus recipiunt. Necnon qui per se vel alios directe vel indirecte prædicta facere, exequi vel procurare, aut in eisdem auxilium, consilium vel favo-

§ 17. *Also those who usurp any Jurisdictions, Fruits, Revenues and Emoluments belonging to Us and the Apostlick See, and any Ecclesiastical persons upon account of any Churches, Monasteries, or other Ecclesiastical benefices; or who upon any occasion or cause sequester the said Revenues without the express leave of the Bishop of Rome or others having lawful power to do it.*

§ 18. *Also those who without the like special and express licence of the Pope of Rome impose Tributes, Tenths, Talleys, Subsidies, and other Charges upon Clergy-men, Prelates, and other Ecclesiastical persons, and the Goods, Fruits, Revenues and Emoluments of them and of the Churches, Monasteries, and other Ecclesiastical Benefices; and exact them by divers artifices, or even receive them so imposed from the Clergy, although they should of their own accord grant and give them: Also those who by themselves or others directly or indirectly fear not to do, execute or procure the said things,*

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rem

rem præstare non verentur, cuiuscunque sint præeminentiae, dignitatis, ordinis, conditionis aut status, etiamsi Imperiali aut Regali fulgeant dignitate; seu Principes, Duces, Comites, Barones, & alii Potentatus; quicunque etiam Regnis, Provinciis, Civitatibus & Terris quoquomodo Præsidentes, consilarii & Senatores, aut quavis etiam Pontificali dignitate insigniti. Innovantes decreta super his per Sacros Canones, tam in *Lateranensi* novissime celebrato, quam aliis Conciliis generalibus edita, etiam cum censuris & pænis in eis contentis.

§ 19. Item, Excommunicamus & anathematizamus omnes & quoscunque Magistratus & Iudices, Notarios, Scribas, Executores, Subexecutores quomodolibet se interponentes in causis capitalibus seu criminalibus contra Personas Ecclesiasticas, illas processando, banniendo, seu sententias contra illas proferendo vel exequendo sine speciali, specifica & expressa huius Sanctæ Sedis Apostolicæ licentia; quique ejusmodi li-

or to give aid, counsel or favour to them; of whatsoever prebeminence, dignity, order, condition or quality they be, although they be Emperors, or Kings, or Princes, Dukes, Earls, Barons, and other Potentates whatsoever, even Presidents of Kingdoms, Provinces, Cities and Territories, Counsellors, and Senators, or invested even with any Pontifical Dignity. Renewing the Decrees set forth concerning these Matters by the Sacred Canons, as well in the last Council of Lateran, as in other General Councils, together with the Censures and Punishments contained in them.

§ 19. Further, We excommunicate and anathematize all and every Magistrates and Judges, Notaries, Scribes, Executors, Subexecutors, any ways intruding themselves in capital or criminal causes against Ecclesiastical Persons by processsing, banishing, or apprehending them, or pronouncing or executing any sentences against them, without the special, particular and express licence of this Holy Apostolical See; also those who extend

centiam ad Personas & casus non expressos extendunt, vel alias illa perperam abutuntur, etiamsi talia committentes fuerint Consilarii, Senatores, Præsidentes, Cancellarii, Vice-cancellarii, aut quovis alio nomine nuncupati.

§ 20. Item, Excommunicamus & anathematizamus omnes illos, qui per se seu alios, directe vel indirecte, sub quocunque titulo seu colore invadere, destruere, occupare & detinere præsumserint, in totum vel in partem Almam Urbem, Regnum Siciliæ, Insulas Sardinia, & Corsicæ, Terras circa Pharium, Patrimonium B. Petri in Tuscia, Ducatum Spoletanum, Comitatum Venaysinum, Sabinese, Marchia, Anconitanæ, Massæ, Trebariæ, Romandiolæ, Campaniæ, & Maritimas Provincias, illarumque Terras & loca, ac Terras specialis commissionis Arnulforum, Civitatesque nostras Bononiam, Cæsenam, Ariminum, Beneventum, Perusium, Avenionem, Civitatem Castellum, Tuderum, Ferrariam, Comaculum, & alias Civitates, Terras & loca, vel jura ad ip-

such licences to Persons or Cases not expressed, or any other way unjustly abuse them; although the Offenders should be Counsellors, Senators, Presidents, Chancellours, Vice-chancellours, or entitled by any other name.

§ 20. Farther, We excommunicate and anathematize all those, who by themselves, or by others, directly or indirectly, under any title or colour whatsoever shall presume to invade, destroy, seize and detain, in whole or in part, the City of Rome, the Kingdom of Sicily, the Islands of Sardinia and Corsica, the Territories about Faro, St. Peter's Patrimony in Tuscany, the Dukedom of Spoleto, the County of Venoso, and Sabinum, Marca di Ancona, Massa, Trebaria, Romandiola, Campania, and the Maritime Provinces, and their Territories and Places, and the Lands held in special commission by the Arnulfi, and our Cities of Bononia, Cæsena, Ariminum, Beneventum, Citta di Castello, Todi, Ferrara, Comaclo, and other Cities, Lands and Places and Rights belonging to the
† sam

sam Romanam Ecclesiam pertinentia, dictæq; Romanæ Ecclesiæ mediâtè vel immediate subiecta, necnon supremam jurisdictionem in illis, Nobis & eidem Romanæ Ecclesiæ competentem, de facto usurpare, perturbare, retinere & vexare variis modis præsumunt, necnon adhærentes, fautores, & defensores eorum, seu illis auxilium, consilium vel favorem quomodo libet præstantes.

§ 21. Volentes præsentibus nostros Processus, ac omnia & quæcunque his literis contenta, quousque alii hujusmodi processus a Nobis aut Romano Pontifice pro tempore existente fiant aut publicentur, durare suosque effectus omnino fortiri.

§ 22. Cæterum a prædictis sententiis nullus per alium quam per Romanum Pontificem, nisi in mortis articulo constitutus, nec etiam tunc, nisi de stando Ecclesiæ mandatis & satisfaciendo cautione præstita, absolvi possit, etiam prætextu quarumvis facultatum & indulgentiarum quibuscunque personis Ecclesiasticis, secularibus, &

*Church of Rome, and subje-
cted mediately or immediately
to the said Church of Rome;
also those who presume by di-
vers means to usurp, disturb,
detain, and vex the supreme
Jurisdiction of the said Domi-
nions belonging to Us and the
Church of Rome; also their
Adherents, Favourers and De-
fenders, or those who any way
give assistance, counsel or fa-
vour to them.*

§ 21. *Willing that our pre-
sent Processes, and all and
every thing contained in these
Letters, continue in force, and
be put in execution; till other
Processes of this kind be made
and published by Us and the
Pope of Rome for the time
being.*

§ 22. *In fine, none may be
absolved from the aforesaid
Censures by any other than by
the Pope of Rome, unless he
be at the point of death, nor
even then, unless he giveth
caution to stand to the com-
mands of the Church, and give
satisfaction. In all other ca-
ses none shall be absolved, nor
even under pretence of any
Faculties or Indulgences grant-
quo.*

quorumvis Ordinum, etiam Mendicantium, & Militarium, regularibus, etiam Episcopali vel alia majori dignitate præditis, ipsisque Ordinibus & eorum Monasteriis, Conventibus & Domibus ac Capitulis, Collegiis, Confraternitatibus, Congregationibus, Hospitalibus, & locis piis, necnon Laicis, etiam si Imperiali, Regali, & alia mundana excellentia fulgentibus, per Nos & dictam Sedem ac cujusvis Concilii decreta, verbo, literis, aut alia quacunque Scriptura in genere & in specie concessorum & innovatorum, ac concedendorum & innovandorum.

§ 23. Quod si forte aliqui contra tenorem præsentium talibus excommunicatione & anathemate laqueatis, vel eorum alicui absolutionis beneficium impendere de facto præsumperint, eos excommunicationis sententia innotamus, gravius contra eos spiritualiter & temporaliter, prout expedire noverimus, processuri.

ed and renewed by Us and the said See, and the Decrees of any Council, by Words, Letters, or any other Writing, in general or in particular, to any Persons Ecclesiastical, Secular, and Regular of any Orders, even of the Mendicant and Military Orders, or to any Persons invested with Episcopal, or any greater Dignity, and to Orders themselves and their Monasteries, Convents, Houses and Chapters, to Colleges, Confraternities, Congregations, Hospitals, and Pious Places, as also to Laymen, although they should be Emperours, Kings, or eminent in any other secular Dignity.

§ 23. *If by chance any shall against the tenor of these Presents, de facto, presume to bestow the benefit of Absolution upon any such involved in excommunication and anathema, or any of them; we include them in the sentence of Excommunication, and shall afterwards proceed more severely against them both by spiritual and temporal Punishments, as we shall think most convenient.*

§ 24.

§ 24. Declarantes ac protestantes quancunq; absolutionem, etiamsi solenniter per Nos faciendam, prædictos excommunicatos sub præsentibus comprehensos, nisi prius a præmissis cum vero proposito similia ulterius non committendi, destiterint, ac quoad eos, qui contra ecclesiasticam libertatem, ut præmittitur, statuta fecerint, nisi prius statuta, ordinationes, constitutiones, pragmatikas, & decreta huiusmodi publice revocaverint, & ex Archivis seu Capitularibus, locis aut libris, in quibus annotata reperiuntur, deleri & cassari, ac Nos de revocatione huiusmodi certiores fecerint, eos non comprehendere, nec eis aliter suffragari; quinetiam per huiusmodi absolutionem, aut quoscunque alios actus contrarios tacitos vel expressos, ac etiam per patientiam & tolerantiam nostram vel Successorum nostrorum, quancunq; tempore continuatam, præmissis omnibus & singulis, ac quibuscunq; juribus Sedis Apostolicæ ac Sanctæ Romanæ Ecclesiæ undecunq; & quandocunq; quæsitis, vel

§ 24. Declaring and protesting that no Absolution, altho solemnly made by Us, shall comprehend, or any other way avail the aforesaid excommunicated Persons comprehended under these present Letters; unless they desist from the premisses with a firm purpose, of never committing the like thing; nor those, who, as was before said, have made Statutes against the Ecclesiastical Liberty; unless they first publicly revoke these Statutes, Orders, Constitutions, Pragmaticks and Decrees, and cause them to be blotted and expunged out of the Archives, Rolls, and Registers wherein they are preserved, and farther certify Us of this revocation: moreover, that by any such Absolution, or any other contrary Acts, tacit or express, or even by the connivance and toleration of Us and our Successours for how long time soever continued, none nor any of the Premisses, nor any Right of the Apostolick See and Holy Church of Rome howsoever and whensoever obtained, or to be obtained, can or ought to be prejudged or receive any prejudice.

quærendis nullatenus præjudicari posse aut debere.

§ 25. Non obstantibus privilegijs, indulgentijs, indultis, & literis Apostolicis generalibus vel specialibus supradictis, vel eorum alicui, seu aliquibus aliis cujuscunque ordinis, status vel conditionis, dignitatis & præeminentiæ fuerint, etiamsi, ut præmittitur, Pontificali, Imperiali, Regali, seu quavis Ecclesiastica & mundana præfulgeant dignitate, vel eorum Regnis, Provinciis, civitatibus seu locis a prædicta Sede ex quavis causa etiam per viam contractus aut remunerationis, & sub quavis alia forma & tenore, ac cum quibusvis clausulis, etiam derogatoriis derogatoriis concessis, etiam continentibus quod excommunicari, anathematizari vel interdici non possint, per literas Apostolicas non facientes plenam & expressam ac de verbo ad verbum de indulto hujusmodi, ac de ordinibus, locis, nominibus propriis, cognominibus & dignitatibus eorum mentionem, necnon consuetudinibus, etiam immemorabili-

§ 25. Notwithstanding any Privileges, Indulgences, Grants, and Apostolick Letters general or special, granted by the Holy See to any of the aforesaid Persons, or any one of them, or any others, of whatsoever order, quality or condition, dignity and preeminence they be; although, as was before said, they should be Bishops, Emperours, Kings, or eminent in any other Ecclesiastick or Secular Dignity, or to their Kingdoms, Provinces, Cities, and Dominions, for any cause whatsoever, even by way of contract or reward, and under any other form and tenor, and with any Clauses whatsoever, even derogatory of those which should derogate from them; or even containing that the said Persons or Places shall not be excommunicated, anathematized or interdicted by any Apostolick Letters, which do not make full and express mention and exact repetition of the said Grant, and of the Orders, Places, Proper names, Surnames and Dignities of the said Persons; as also notwithstanding,

bus, ac præscriptionibus quantumcunq; longissimis, & aliis quibuscunq; observantiis, scriptis vel non scriptis, per quæ contra hos nostros Processus ac sententias, quo minus includantur in eis, se juvare valeant ac tueri. Quæ omnia quoad hoc, eorum omnium tenores, ac si ad verbum, nihil penitus omisso, inferrentur, præsentibus pro expressis habentes penitus tollimus, & omnino revocamus: cæterisque contrariis quibuscunq;.

§ 26. Ut vero præsentis nostri processus ad publicam omnium notitiam facilius deducantur, Chartas seu Membras Processus ipsos continentes, valvis Ecclesiæ S. Joannis Lateranensis, & Basilicæ Principis Apostolorum de Urbe appendi faciemus; ut ii, quos Processus hujusmodi concernunt, quod ad ipsos non pervenerint, aut quod ipsos ignoraverint, nullam possint excusationem prætere-
dere aut ignorantiam allegare; cum non sit verisimile,

standing all Customs, even immemorial, and Prescriptions, how long soever, and any other Observances written or not written, by which the said Persons may help and defend themselves against these our Processes and Censures from being included in them. All which Grants, as far as relates to this matter, and the whole tenor of them, accounting them expressed in these Presents as if they had been verbatim inserted, nothing omitted, we utterly abolish and wholly revoke; and notwithstanding any other Pleas which may be alledged to the contrary.

§ 26. But that these our present Processes may more easily come to the knowledge of all Persons; We have caused the Papers and Parchments containing the Processes themselves to be affixed in the City to the doors of the Church of St. John Lateran, and of the Church of the Prince of the Apostles; that those whom these Processes concern, may pretend no excuse or alledge ignorance, as if they had not come to their knowledge; since it is not probable, that should

id remanere incognitum, *remain unknown, which is so*
 quod tam patenter omnibus *openly published to all men.*
 publicatur.

§ 27. Insuper ut Processus ipsi & præsentēs literæ, ac omnia & singula in eis contenta, eo fiant notiora, quo in plerisque Civitatibus & locis fuerint publicata; universis & singulis Patriarchis, Primatibus, Archiepiscopis, Episcopis, & locorum Ordinariis, & Prælatiſ ubilibet constitutis, per hæc scripta committimus, & in virtute sanctæ obedientiæ districtè præcipiendo mandamus; ut per se vel per alium seu alios præsentēs literas, postquam eas receperint, seu earum habuerint notitiā, semel in anno, aut, si expedire viderint, etiā pluries, in Ecclesiis suis, dum in eis major populi multitudo ad Divina convenerit, solenniter publicent, & ad Christi fidelium mentes reducant, nuncient, & declarent.

§ 28. Cæterum Patriarchæ, Archiepiscopi, Episcopi, aliique locorum Ordinarii, & Ecclesiarum Prælati, necnon Rectores, cæterique curam animarum exercentes,

§ 27. *Moreover, that the Processes themselves, and these present Letters, and all and every thing contained in them may become more manifest by being published in many Cities and Places; We by these Writings entrust, and in vertue of holy obedience strictly charge and command all and singular Patriarchs, Primates, Archbishops, Bishops, Ordinaries of Places, and Prelates wheresoever constituted, that by themselves or some other or others, after they shall have received these present Letters, or have knowledge of them, they solemnly publish them in their Churches once a year or oftner, if they see convenient, when the greater part of the People shall be met for celebration of Divine Service; put faithful Christians in mind of them, relate them, and declare them.*

§ 28. *Lastly, all Patriarchs, Archbishops, Bishops, and other Ordinaries of Places, and Prelates of Churches, as also all Rectors, and others having cure of Souls, and*
 ac

ac Presbyteri seculares & quorumvis Ordinum regulares ad audiendas peccatorum confessiones quavis auctoritate deputati, transumptum præsentium Literarum penes se habeant, easq; diligenter legere & percipere studeant.

§ 29. Volentes earundum præsentium transumptis, etiam impressis, Notarii publici manu subscriptis, & sigillo Judicis Ordinarii Romanæ Curiae, vel alterius personæ in dignitate ecclesiastica constitutæ munitis, eandem prorsus fidem in iudicio, & extra illud ubique locorum adhibendam fore, quæ ipsis præsentibus adhiberetur, si essent exhibitæ vel ostensæ.

§ 30. Nulli ergo omnino hominum liceat hanc paginam nostræ excommunicationis, anathematizationis, interdicti, innovationis, innodationis, declarationis, protestationis, sublationis, revocationis, commissionis, mandati & voluntatis infringere, vel ei ausu temerario contraire. Siquis autem hoc attentare præsumpserit, indignationem Omnipotentis

Priests secular and regular of whatsoever Orders, deputed by any authority to hear confession of sins, shall have a Transcript of these present Letters by them, and shall diligently study to read and understand them.

§ 29. Our farther pleasure is, that the same credit in judgment and out of judgment, shall in all places be given to Copies, although Printed, of these presents, subscribed by any publick Notary, and sealed by the ordinary Judge of the Court of Rome, or any other person in Ecclesiastical dignity; as would be given to these presents themselves, if they should be produced or shewn.

§ 30. Let no man therefore infringe, or boldly and rashly oppose this our Letter of Excommunication, Anathematization, Interdict, Innovation, Innodation, Declaration, Protestation, Abolition, Revocation, Commission, Command and Pleasure: But if any one shall presume to attempt it; let him know that he shall incur the displeasure of Almighty God, and of his Blessed
Dei

Dei ac Beatorum Petri & Pauli Apostolorum ejus se noverit incurfurum.

Datum Romæ apud S. Petrum, Anno Incarnationis Dominicæ Milleffimo sexcentesimo decimo, sexto Idus Aprilis, Pontificatus nostri anno quinto.

Anno a Nativitate Domini Nostri Jesu Christi millesimo sexcentesimo decimo tertio, Indict. II. die vero quarta mensis Aprilis, Pontificatus Sanctiss. in Christo Patris & D. N. D. Pauli divina providentia Papæ V. anno octavo, supradictæ literæ affixæ & publicatæ fuerunt ad Valvas Basilicarum S. Joannis Lateranensis & Principis Apostolorum, & in acie Campi Floræ per nos Baldassarem Vacham & Brandimartem Latinum Curfores.

Jacobus Brambilla,
Mag. Curf.

Apostles Peter and Paul.

Given at Rome from St. Peter in the year of our Lord's Incarnation, One thousand six hundred and ten, the eighth of April, in the fifth year of our Popedom.

In the year, from the birth of our Lord Jesus Christ 1613. Indict. II. the 4th day of the Month April, and the eighth year of the Popedom of our most Holy Father in Christ, and our Lord Paul V. by Divine Providence Pope, the aforesaid Letters were affixed and published at the Doors of the Churches of St. John Lateran, and the Prince of the Apostles, and in the field of Flora, by us Balthazar Vacha and Brandimars Latini Cursors.

James Brambilla,
Mag. Curf.

FINIS.

INSTRUCTIONS

These instructions are to be read by the person
who is to be examined, and by the person
who is to examine him, before the examination
begins. They are to be read in the presence
of the person who is to be examined, and
of the person who is to examine him.

ARTICLE I

OF THE

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